

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

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4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 VICTOR BRUCE,

8 Defendant.  
9  
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Case No. 2:13-cr-441-APG-CWH

**ORDER GRANTING IN PART  
MOTION FOR PERMISSION TO  
PRACTICE MEDICINE**

(ECF No. 33)

11 After Victor Bruce pleaded guilty to Conspiracy to Distribute Oxycodone, I sentenced him  
12 to 46 months in prison, to be followed by three years of supervised release. ECF No. 28. As a  
13 condition of supervised release, I restricted Dr. Bruce “from engaging in employment, consulting,  
14 or any association with any medical practice or employment as a physician for a period of three  
15 (3) years without the prior approval of the probation officer.” *Id.* at 4, Special Condition #3. I  
16 also ordered him not to “purchase, possess, use, distribute, or administer any controlled substance  
17 or any paraphernalia related to any controlled substances, except as prescribed by a physician.”  
18 *Id.* at 3, Standard Condition #7. Separately, Dr. Bruce’s medical license was revoked under a  
19 Settlement Agreement with the State of Nevada Board of Medical Examiners (BOMEX). ECF  
20 No. 29-2.  
21

22 Dr. Bruce’s term of supervised release commenced in May of 2018. He now seeks  
23 permission to resume practicing medicine. ECF No. 33. The Government opposes that request.  
24

25 I previously granted Dr. Bruce’s request to travel to California to take an ethics course  
26 that would prepare him to resume practicing medicine. ECF No. 32. In that order, I expressed my  
27 concern about Dr. Bruce’s ability to prescribe controlled substances. But I noted that I would  
28

1 “defer to the appropriate licensing authorities—who have more insight into the relevant issues—  
2 for that determination, and for any oversight they feel is needed.” *Id.*

3 In September 2018, the BOMEX granted Dr. Bruce a medical license with the following  
4 conditions:

- 5 1. You must complete a 1 year preceptorship with Bernard Addo-Quaye, M.D.
- 6 2. You are restricted from prescribing controlled substances for a minimum of twenty  
7 four (24) months or until your probation period lapses whichever is greater.
- 8 3. You are restricted from prescribing controlled substances without prior approval of the  
9 Board.

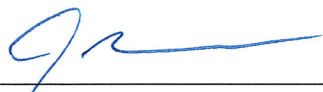
10 ECF No. 33-3. It is unclear what “probation period” condition 2 is referring to. If it refers to the  
11 supervised release I ordered in this case, that will terminate in May of 2021. *See* ECF No. 37 at 3.  
12 If it refers to some administrative probationary period imposed by the BOMEX or another  
13 authority, I do not know when that period “lapses.”

14 When I imposed the 3-year restriction against Dr. Bruce’s ability to “possess, use,  
15 distribute, or administer any controlled substance,” I felt that was an appropriate way to protect  
16 the public and deter Dr. Bruce from again breaking the law. I still feel that way. Regardless of  
17 the time restriction imposed by the BOMEX, Standard Condition #7 that I imposed will remain in  
18 force until Dr. Bruce’s supervised release in this case ends.

19 I am willing to allow Dr. Bruce to resume practicing medicine subject to the restrictions  
20 imposed by the BOMEX and the conditions of supervised release I imposed. Those restrictions  
21 and conditions should protect the public and serve as an adequate deterrence to Dr. Bruce and  
22 others. Thus, I hereby waive Special Condition #3 that prohibited him from practicing medicine.

23 Dr. Bruce’s motion to resume practicing medicine (ECF No. 33) is granted in part as set  
24 forth above.

25 DATED this day of August 2, 2019.

26   
27 ANDREW P. GORDON  
28 UNITED STATES DISTRICT JUDGE